

A
N A R R A T I V E:
C O N T A I N I N G,
A V I N D I C A T I O N
O F
Alderman C L E G G's C O N D U C T,
K . A S A

Member of the C O M M O N C O U N C I L of the
Corporation of *Liverpool*,

A N D A S

A Candidate for the Office of M A Y O R upon the 18th Day
of *October* last:

Also some P A R T I C U L A R S of a pretty extraordinary N a t u r e,
and of some I m p o r t a n c e to the C O M M U N I T Y.

Addressed to the

Worshipful *W I L L I A M G O O D W I N*, Esq;
Mayor of L I V E R P O O L.

Quantum Quisque sua Nummorum servat in Arca,
Tantum habet et Fidei.

[Price S I X P E N C E.]

However displeasing this Relation may be to some, it is hoped they are but few in Number who will be offended to see Truth related, respecting the Behaviour and Actions of Gentlemen invested with the Public Trust.

The Author stands clear of imputing Guilt to any who are not deserving of such Imputation ; and if what he has *asserted* are undeniable Truths (not otherwise to be confuted than by saying, *they disregard any thing he writes*) he then may rationally conclude, that the Public will look upon them, not only out of the Power of Confutation, but of too much Weight and Importance to be disregarded, as they relate not only to the Interest of a very valuable Estate, but to the constitutional Laws, by which many Thousands are to be governed, whose Happiness, with that of Posterity, humanly speaking, consists in a Rectitude of Administration. Known Errors persisted in by the Weight of Power and Influence, is Corruption ; and that knowingly permitted to spread, is the sure Road to the Ruin of any Community.





*To the Worshipful WILLIAM GOODWIN, Esq;
Mayor of Liverpool.*

SIR,


TAKE the Liberty to address the following Narrative to your Worship; and I humbly presume I may plead some Claim of Right to do so; for, as I was set up a Candidate in Opposition to yourself for the Office of Mayor, you was a Witness to the Treatment I met with, not only upon the Election-Day, but in the Council-Assembly, the last Time of meeting there.

What I have wrote contains nothing but Truth, according to the best of my Knowledge and Remembrance, and if your Worship should be of Opinion that I have been too severe upon any Person, I hope you will please to consider it as a Correction for a Crime of a double Nature, one for abusing the Public, the other abusing me for discovering such Abuses.

If it was thought prudent and necessary, for a few Gentlemen to enter into a Subscription to the amount of Three Thousand Pounds, to secure your being Elected in opposition to my self, into a post of great Importance to the Community; as the Honour of which I am well assured, you was far from being desirous of; so there must be great confidence placed in your Worship's declining to make a thorough Scrutiny into the true State of the publick's affairs, on one hand, and as strong Suspicion on the other, that I should entertain no Scruple of that kind, provided I be-

came invested with a Power of doing it: therefore, I hope the Important Station you are placed in, and the Consideration that you have been but lately introduced into the way of being acquainted with the constitutional Laws of the Corporation, (and I presume a Stranger to some material Practices) will prevail upon you to consider whether I am right or wrong in Discoveries I have as yet made: If I am not right, surely I may be easily confuted, for Truth has no blind side; interesting views may cast a temporary Cloud over it; but those, I hope, will be no Mask put upon your Judgment, nor prove a blind guide to your Conduct.

In Ribaldry and foul Language, I must acknowledge, some Gentlemen have approved themselves Masters of Arts; for which treatment of me, I can both thank and despise them; thank them, for shewing they had no Negative to offer against my Assertions; and despise them, for the scandalous, unbecoming manner of behaving to me.

I am,

Liverpool. 15th Nov. 1757.

Worshipful Sir,

your very Obedient,

and very humble Servant,

JOSEPH CLEGG.

To



To the P U B L I C.

S I R S,



S my Conduct upon the 18th of October last, was greatly censured by a considerable Number of Persons to whom it was not in my Power suddenly to assign Reasons for it, I was urged by several of my particular Friends to publish something in my own Vindication.

I acknowledged myself obliged to them for their kind Advice; but as I hoped a little time would convince them, that those passionate Reasons which were given out as the cause why I had deserted (what they called) their Interest, were grounded only upon an imaginary and mistaken Foundation, I should not long lie under the Suspicion of having acted a Part unworthy of a Person desiring to appear behaving consistently.

Having, agreeably to my Expectations and Wishes, found my Friends in general satisfied, I laid aside the Thoughts of taking the least public Notice of what had passed at that time; and I was the more readily induced to do so, as it was the Request of a Gentleman to whom I stand no other way related than by the Regard I have for him, as dignified with a public Character; but the Treatment which I met with a few Nights since, in the Council-Assembly, and himself a Witness to it, will, I hope, to that Gentleman and the Community in general, vindicate my attempting to account for, and justify my own Conduct and Behaviour, by stating Matters in a just, fair and impartial Light, according to the best of my Judgment, both as a Member of the Common-Council, and as a Candidate for the Office of Mayor.

In Order therefore to represent Matters with some Degree of Clearness, so as to be understood by Persons of all Ranks in the Community, I hope those

those who are not Strangers to them, will pardon a little Prolixity, which I own would be inexcusable, was this intended to be only addressed to themselves.

The Ninth Year is now entered upon, since I was unanimously appointed to, and dignified with, the Office of Mayor of Liverpool; a Trust I own, of very great Importance, and the Duty of which, I can truly say, I discharged faithfully, and with as much Judgment and Discretion as my Capacity enabled me to do.

A particular Detail of Transactions during that Period of Time, is neither my Design nor Desire to attempt the mention of, I shall therefore confine myself to a few Instances of Conduct, which laid the Foundation of a Disgust in some Gentlemen of the Council against me, which has, since that Time, arisen to a Degree of Rage; and very lately into quite an open Flame, belched out with as much Fury as if a *Bilingsgate* Tribe had taken Possession of the Council-Room.

A Plot of Ground lying about the Dry Pier, belonging to the public Estate, was a Part of it petitioned for by the late Alderman *Steers*, many Years since, and he was allowed to take what the Council should think proper to spare, paying forty shillings per Yard. Several Years after, another Gentleman of the Council petitioned for a Number of Yards, Part of the same Plot; This second Petition being read in Council, occasioned others immediately to make their Applications, until the whole Quantity was believed to be applied for, but no Price set upon it. Thus it rested a few Years until 1749, when an Order of Council was moved for and obtained, That whatever belonged to the Public Estate, and the Council should think proper to dispose of, should, for the future, be sold at public Cant. A few Weeks after this, it was generally believed, this Ground was, by my Means, disposed of that Way, and raised, if it is all yet paid for, the Sum of 3246 l. 10 s. for the Term of Three Lives and Twenty Years, subjected to an annual Ground-Rent of Twelve Pence per Yard to the Fronts, which amounts to near Twenty Pounds. This gave the first Occasion of Disgust to some Gentlemen, as Expectations were disappointed.

At the Close of my Mayoralty, I laid before the Public the Situation their Estate was in, with what had been the Amount yearly, in five preceding Years; also how much the Estate was in Debt; I also let them know the particular Branches of the Revenue, and how much the Fines for Leases, and Fines for Freedom voted between October 1748 and October 1749, with the other Articles of yearly Income amounted to, which was about 3800 l. and happened to exceed the preceding Year, very near, if not above.

above 1200 l. This likewise gave Disgust; it was too openly communicating Knowledge to vulgar Minds.

These two Articles, with the Affair of the Prizage, which I have so often, and too clearly for some Gentlemen, commented upon, are the principal Articles which I know, or can think of, to become the Foundation, on which to build that Pile of Guilt I stand chargeable with in the Council-Assembly, so as to occasion such high Resentment, until I took upon myself the Discussion of some other Points relative to the constitutional Concerns of the Corporation.

Very soon after the 18th of October, 1749, I was discharged from attending Committees, so that my Station, as a Member of the Common-Council, intitled me to be only an Officer of Observation; for on several Occasions, when I was but desirous to speak to Matters relating to the Public, I was not permitted to be heard, but treated with as much Contempt as if I had cast a Reproach upon their Choice of me, by a total Disregard of the Concerns of the Corporation, during the Course of the Year in which I served the Office of Mayor.

However, as I often in Council (notwithstanding the Rebukes I met with) mentioned the Want of an Assignment of the Prizage-Grant, and by doing so, I was only nursing a Brat of Complaint made by the Council themselves, that they had it not; expecting it would have been sooner put into their Possession; until Mr. *Salisbury* came amongst us; after that, they were displeased with me that I would not overlay it; however, it is now in a fair Way of being possessed of a Fortune of 498 l. 9., and when it comes to its Age (which I hope will not be long) it will be worth 269 l. more, besides Interest, which, as the Council are Guardians and Trustees to so pretty an Orphan, it cannot be doubted but we shall take proper Care of it. This Assignment, I was told in 1752, was come down from Mr. *Salisbury*, and as a natural Fondness is generally speaking inherent to Nurses, I moved for its being laid before the Council, but was denied; yet by Accident I found out, that it was not made to the Use of the Corporation, *viz.* to the Mayor, Bailiffs and Burgeses, but to the Use of the Common-Council only, more particular intended Uses I was then a Stranger to. This occasioned me to speak of it to several Gentlemen in Town, and this, with other Matters, occasioned a general Meeting, at which it was determined to set aside the Choice of Mayors by Rotation, according to Seniority, as they had served the Office of Bailiffs.

Some Time after this, five Gentlemen were deputed to demand a Sight of the Prizage-Assignment, and the Prizage-Account to be settled with other Things. This occasioned it to be done, and a Copy of it was sent to one

of the Deputies ; and though by that Account, the Ballance, which was 498 l. 9 s. was said to be paid to Mr. *Peters*, a quondam Town-Clerk, who had been dead upwards of twelve Years, and before any (except a Trifle) of that Money was received, and no Demand upon the Corporation made by his Executors, yet it was expected the Account should rest so ballanced ; but the said Deputies, or some of them, demanded the Payment of the above-mentioned Ballance from Mr. *Salisbury*, and he paid it upon the 15th of *April*, 1754, into Mr. *Pole* the Treasurer's Hands, who gave a Receipt for it, for the Use of the Corporation, by that Gentleman's own Direction. Soon after the Election of Members to serve in Parliament was over, which ended the 22d of the said Month, it was given out that Mr. *Salisbury* had paid the Money in his own Wrong, and that it was paid into Mr. *Pole*'s Hands only as a Deposit, by Way of Security, he should meet with no Opposition to his being elected one of the Members ; whether any Agreement of that Kind was made, and who entered into such a Contract, if it was so, I leave to the Gentlemen Deputies, who were the best acquainted with those secret Transactions, to explain : However, not many Days after the Election ended, I remember some Gentlemen were severely censured, and I wrote a short Paper, taking Notice, that the Money was either paid to discharge a just Debt, or it must appear to be a Bribe ; but none of Mr. *Salisbury*'s Friends offered to place it to that Account ; that with the other Circumstances, was a convincing Proof to me, it was paid as a Debt justly due and owing to the Corporation, and I am now fully satisfied the Prizage-Debt is not yet all discharged.

In 1755, The story was again revived, that Mr. *Salisbury* had paid the Sum before-mentioned in his own Wrong ; it was so declared in Council, and there were warm Debates whether it should be repaid to him or not ; they were carried on so far, that Mr. Mayor was several times requested to put the Question ; Mr. *Pole* then declared he had not brought it to the Credit of the Corporation, nor could he in Conscience (I think that was his Expression) do it without an Order of Council, as it was only lodged with him by way of Deposit.

No Order of Council was made, for four Gentlemen, the present Mr. Mayor one of them (I mention it to his Honour, as an Instance of Integrity) left the Council-Chamber, and by doing so, broke up the Assembly, and for that time put an End to the Debates.

The first public Mention that was afterwards made of it, to my Knowledge, in Council, was on or about the 13th of *April* last, Mr. *Pole* wanting to have Money taken up to discharge some Debts ; I asked him whether he had made an Application of the Prizage-Money to the Corporation-
Account ;

Account ; I further said, it was high time that Matters be fixed ; that it was three Years only wanting two Days, since he received that Money ; he then acknowledged he had paid it back to Mr. *Salisbury*, which I have now Reason to believe is true, being credibly informed he did not choose to part with so much of the Corporation's Property, without an Indemnification for doing so ; and, for his greater Satisfaction, that it would be good in Law, (I don't mean in Equity or Honesty) he had the late Mr. *Eccleston*'s Opinion upon it, that the public Estate might be plundered with Security. Upon the 4th of *October* last, there was a meeting of a selected few at the Mayor's House, and some Gentlemen, not of the Council, had a Call there, at which Meeting it was determined that Mr. *Pole* should confess Judgment, after having so long demurred. Accordingly the next Day there being a Council held, the Prizage-*Money* was declared to be in his Hands, or he answerable for it ; and an Order was made for the Application of it to the Use of the Corporation.

I acknowledge this looks like dealing in Paradoxes, however they are not of my making ; I only state Facts out of the Power of Confutation, by any Hocus Pocus Tricks which can possibly be played ; how far this Sort of Conduct is consistent with Justice and Integrity, and a proper Basis on which to support Honour and Reputation in the Opinion of Gentlemen, who form Judgments of Actions and Things with Impartiality, I leave to their own Determinations.

Upon the 7th of *September* last, some Papers which I had wrote and published were taken notice of in Council, and it was said they, the Gentlemen of the Council were reflected on in most, or all Companies where they came ; I said, that in what I had wrote, I had still pleaded an Excuse for those who were ignorant of the Transactions which I had made a Relation of, and had I been permitted to be heard, respecting Matters which I thought wrong, there would have been no Occasion for those Publications. Upon this, Mr. *Manesty*, who introduced the mention of my Papers, was so far a kind Advocate in my Favour, as to say, I ought to be heard, and more to the same Purpose ; he was at that time a Witness to the Treatment I met with for furnishing the Public with a Copy of Mr. *Gildart*'s Letter, which I thought myself obliged to do in my own Defence. Had the Prizage-Account been rightly settled, and the Sum which, by that stated Account, justly applied, as it has since been ordered, that Part of what has been called my Clamour and Noise, would have been out of the Question and not heard of ; to be called scandalous and base, for publishing a Letter which reflected that upon the Author, and which every unprejudiced Person must look upon to be such, who understands the Purport and

Meaning of it, and this in a public Assembly of the Common Council, and to be afterwards stigmatized with the Appellation of a Puppy for doing so, without a Disapprobation of such behaviour being any way expressed, can it be looked upon otherwise than disowning Truth being spoken respecting what essentially regards the Interest of the Public Community? A few Days after this Council was held Mr. *Manesty*, after a kind and friendly Manner, took notice of me as I was passing by the Dock, (and who can doubt but with as much Sincerity as there appeared Friendliness) he then let me know, that several Gentlemen of the Council had been talking of some Affairs relating to the Public, and had determined to have some Matters enquired into, and if I could make good, or justify what I had published, they would either have Things put upon another foot of Management, or they would quit the Council. I told him I only desired to be fairly heard, I had said nothing but what I was able to support the Truth of. He then told me, he would mention it the next Council Day, and previous to any other Business being done, and that every thing should be conducted after a deliberate Manner. (great Indulgence promised)

He further told me that Mr. *Colquitt* had been spoke to and remarked to me on what that Gentleman had said, though he did not say what had been mentioned to him. I have very good Reason to believe that something of this kind was intended, because I heard of it as mentioned by a Gentleman who is not a Member of the Council. About two days after this Conversation, and placing some Confidence in Sincerity, I wrote to him, and put the Question, whether it might not do well to have a special Council called, and said, that if a few Gentlemen would desire it, I believed the Mayor would summon one. This occasioned my drawing up a Remonstrance which I had in Readiness to have laid before the Council, when the Opportunity for doing so offered itself.

Upon the following Council Day, *October 5th*, I again saw Mr. *Manesty*, and walking towards the Exchange together, he told me that the Day before he was at the Mayor's house, where Affairs relating to the Public were talked of, and by the Manner of expressing himself to me, I apprehend he had met with warm or harsh Treatment, (great Pity that Merit in its infant State should meet with a Rebuke) but he entered into no Particulars, only he told me, that the 498 l. 9s. was found, and that Mr. *Pole* was to acknowledge it in Council that Afternoon; however, notwithstanding what Mr. *Manesty* had before told me about introducing what was to be discussed with Deliberation, he did not come into the Council Room until a considerable time after they were met and entered upon Business; he asked some Questions about the Prizage-Money, and particularly as to the Manner of

the

the Receipt being given ; this to be sure was a very proper Question to be put to me, by the Person who was Mr. *Salisbury*'s Agent in paying it, and took the Receipt, and to the best of my Remembrance exposed it to be seen by as many as had the Curiosity to look at it ; and it was (as I have hinted) but the Day before, that the Point of acknowledging the Money to be in Mr. *Pole*'s Hands, or he to be accountable for it, and to declare that Mr. *Salisbury* directed him to give a Receipt for it, for the Use of the Corporation, was agreed to be mentioned in the public Council. Prudential Caution, in some Cases is very necessary for the right timeing Matters.

After this an Order was made for its being applied to the Use of the Public, and it was declared it would have been sooner made, if the Council had known such a Receipt (as what all the Town knew of) had been given.

I asked the Question, who was to pay the Interest ? the Corporation had lain out of the Money for near Three Years and a half ; the Reply was, we might be thankful for the Principal. I then said, it was pretty well for the first Hawl, but there was yet 269 l. principal Money due and owing on that Account. As what I had Reason to expect from what I have before-mentioned, (a deliberate Discussion of Matters did not offer, I sent the Remonstrance a Day or two after to Mr. *Manesty*, with my Request he would shew it to the Gentlemen of the Council, and expected he would have done so ; but several Days after, he came to me upon the Exchange to return it to me ; I asked if he had shewn it to the Gentlemen ; his Reply was, he had shewn it to ONE. He not finding it, as he expected, in his Pocket, I told him he did not need to give himself any further Trouble about it, I had shewn it to some Friends, and, at their Request, had sent it to the Press.

He at that time asked me some Questions about the late obtained Charter, and said it was a scandalous Affair. He asked if it was a Secret in Council ; I told him I believed it was, except to those who attended when the Seal of the Corporation was ordered to be affixed to the Petition ; he afterwards told me I was mistaken in saying the Charter was neither known to the Burgeses, nor accepted by them, because it was published in the *Gazette*. To this I replied, the Heads were only inserted there ; but had the whole been recited, considering how few of the Burgeses knew any thing of a *Gazette*, I could not consider myself mistaken in that Point.

In the Course of this Conversation other Things were spoke of, and I particularly mentioned to him, that if I had not been deprived of the Liberty of being attended to in the Council-Assembly, there would have been no Occasion for Publications. I also told him, I was denied the Inspection of the Council-Books, which he was pleased to declare to be very wrong ;

and that no Member of the Council ought to be refused or denied such Liberty. I also told him that some Persons who were admitted to have a Right to Freedom by the Committee, and the Mayor present, were refused being sworn, because they denied to pay the Town Clerk a Shilling, which he likewise thought was wrong. So far on the right Side, and according to the old Saying, *Wits jumpt.*

What I have hitherto related happened before the 18th Day of October last; but on the 2d of Nov. Janus's Face, like the Moon, underwent a change; for before the Council met, this Gentleman, with about three others sitting in the Council-Chamber, asked Mr. Lawrence Carr if he had got his Windows mended; he told him he had. He then asked who he intended to bring the Bill to; Mr. Carr said, he knew some of the Chaps concerned, and should call on them. Upon this he said, Mr. Clegg ought to pay, if he was able; he, and he only, ought to do it.

After the Council were met, and had dispatched most of the then intended public Busines, the Question was asked, whether there was not a Necessity for an Order for repairing the Windows of the Exchange; and who was to do the Work. Upon this, all the Mischief that was done on the Election-Day, was laid to my Charge, as being the Sole Author and Procurer of it; and if such riotous Work was not properly taken notice of, there would be nothing but Confusion and Michief in Town; that a Criminal on whom just Punishment had been that Day inflicted, was like to have been rescued; that it was proper to have Arms lodged in the Exchange, and Persons appointed to make use of them, when it should be thought necessary. All this was spoke with great Deliberation, but as Orators sometimes express themselves with a greater Degree of Emotion than at first setting out, and the subject itself may require it, it was by him more vociferously declared, that Mr. Clegg had published a Parcel of scandalous Papers, and thereby arraigned the Reputations of the Gentlemen of the Council, and that he was a base and wicked man, with much more to the same Purpose, which, as I cannot expressly relate, I do not attempt to mention, nor do I confine myself to the identical Words spoken, but their true Sense and Meaning I am sure I am not mistaken in. The Wind of Reproach for some Time blew a meer Fret from most Corners of the Room, one particular Gentleman, remarkably fond of expressing his Honour, made an Addition of some Puffs to his Nonsense, that it might fly about with greater Force. My Reply was, that I was not conscious to myself of Baseness, but if to him who spoke before his Honour, or the many others who were far from being sparing of what may be justly called *Bilingsgate* Language, I appeared to be what they represented me, I desired to have a Charge given me, I
would

would readily receive it, and an Answer might be depended upon; I said I thought I had a right to it, and not to be insulted and abused in a Place where I did not know I had an Advocate. Upon this, a Charge was moved for, I readily seconded the Motion, and it was offered to be ready against the next Council Day, but no Order for that Purpose was made an Entry of.

For my own Part, I do not see the least Necessity for any Order of Council to call me to an Account, unless it can be made to appear, I have used my Endeavours to overturn the Constitution of this ancient Corporation, by contriving, or even insinuating Schemes, whereby to deprive the Burgeesses of the Enjoyment of their Charter Rights and Privileges.

If it can be alleged against me, that I have been secretly and clandestinely concerned in drawing up, or causing to be drawn up a Petition to his Majesty, praying to have a select few invested with the Power of a legislative Authority, to render the Burgeesses Rights to consist in nothing but an empty Name; and in order to effect a Scheme of this Kind, secretly engaged in sending any Person to *London*, to solicit an Affair, so evidently tending to procure the Accomplishment of it.

Was it to be made to appear I had been active in endeavouring to commit Plunder upon the Corporation Revenue, as a Member entrusted with the Guardianship of it, or even to have connived at such Work being done, by others; they must have, in my Opinion, appeared Crimes of so odious a Nature, as to occasion just Reason for high Resentment, and such as Guardians and Trustees for the Public, should be alarmed at, and cause them unanimously, and without Hesitation, to join in drawing up Articles of Impeachment against me. This Step would certainly become Gentlemen valuing themselves as acting upon the Principles of Honour and Justice; they would truly appear to be the Patrons and Protectors of their own and their Fellow-Burgeesses indubitable Rights; it would be acting up to those most solemn Engagements, which they lay themselves under at the time of their Admission into Guardianship, and be in no Danger of putting Conscience to the Blush. To have I say, such Charges as these exhibited against me, and conscious to myself of being deserving of them; would I own, make me shudder, and stand in amaze what Reply to make; but to be only the Discoverer of Transactions of the Kind I have mentioned in others, and instead of being countenanced, to be traduced and vilified, after less than setting their Seal of Approbation to iniquitous Practices? Had I indiscriminately laid Accusations, and thereby made the Charge general, It could not be wondered at, if I had been reproached for doing so; but as

it admits not of the least doubt who are meant by what I have said, it is Adoption only, can make others appear in a disagreeable Light, and solely by their own Choice, and I am innocent; for which Reason I can smile at contemptuous Treatment, was it to come from Personages of the highest Rank. If I have exhibited unjust Charges against Individuals, it is they and they only who have a right to call me to Account, whether it respects their Good-name, or their worldly Good; the rest of the Society are out of the Question, they sit in Innocency's Seat, and may remain there with Security, if it is a Situation pleasing to themselves. The Clamours raised against me the last Council Day (Reasons and Arguments they had no right to be called) came from Persons either of known Ignorance (though of standing long enough, as Members of the Common-Council to be better informed) or Persons so lately introduced, that it is no Impeachment of their Judgment, to say they are Strangers to the Affairs and Concerns of the Corporation; except those identical Persons whom my Papers have nominally made mention of; therefore Mr. *Pole* saying that, for several Years I had by my Papers, been inflaming the Minds of the Burgesses, was saying nothing to the Purpose; an Attempt to clear himself from any thing which immediately affected his own Character and Reputation, was properly his Province, and in order to clear up that, it is his Business to confute my Allegations.

I have charged him as Treasurer, with receiving l. 498, 9 s. from Mr. *Salisbury* for the Use of the Corporation, and not bringing it to the Credit of that Account, in the Space of three Years and a half, or within a few Days; how it has been secreted for so long a Time, I have attempted to explain; but not how an Exchange has been wrought, from that Money being only a DEPOSIT, to be turned into a just Debt. At the Time of its coming into his Hands, it was either paid to him *in Aid* of a Debt that was due to the Public, or it was not; if it was a just Debt, why should either Mr. *Pole*, or other Trustees for the Public, abuse me for the Discovery of it? since they have actually, if not intentionally, approved of it themselves, by their ordering its being applied to the Use of the Corporation; if it was not due and owing to the Public, what sort of Claim to merit have they, by countenancing me in a wrong Charge, and thereby causing Innocency to suffer? but it is plainly clear to me, there are Wheels within Wheels, secretly worked in this famous Piece of Mechanism (permit the Allusion) which a very few Gentlemen of the Council are not yet acquainted with, and if the Payment of the 498 l. 9 s. to the Use of the Corporation, does not put them out of their *intended* Motion, I entertain mistaken Conjectures; however they no way affect the Public. This Sum of 498 l. 9 s. as it

now

now appears to be the Corporation's Property, clears up another Article of Cash ; for it makes the Sum of 269 l. to be equally (if not more so) a Debt due to the Public ; because about 110 l. of that Sum was received before the Prizage Patent bore Date, and though I have said, or at least insinuated, that Mr. *Colquitt*, as Treasurer for that Revenue, was accountable to the Corporation (and I have no Reason to recede from that Opinion) yet I am far from either saying or thinking he has pocketed a Penny of that Money to his own Use, farther than in Aid of a just Debt due to him for Money lent. This a Reference to the private Account settled in 1744, clearly explains ; and if, by the Advice of those to whom that private Account was rendered, and by their Direction he made a wrong Application of that Sum ; as the Fraud is now clearly discovered, when the Money is honestly applied, I am far from being of Opinion that he is to sustain the Loss ; but that the Borrowers are answerable for it. Since I had finished this Manuscript, as I intended for the Press, a Gentleman speaking to me about the public Affairs of the Corporation, said, that he believed the Sum of Money paid by Mr. *Salisbury* to the Treasurer in 1754, was paid in his own Wrong ; This I acknowledge might eventually happen he might possibly pay more than his Share, but the whole of that lent, and more, was then owing to the Public ; for at the Time the Money was borrowed the then Members of Parliament were so far in Partnership that they had a joint Interest to support, and for that Reason might be equally liable to share in discharging that Debt, with the growing Interest upon it ; for in 1736, when the new Patent was obtained for the Prizage, Mr. *Gildart* writes in the Plural Number, and declares a joint Intention how its Revenue should be applied ; Mr. *Brereton*'s Notes for the Money borrowed from Mr. *Colquitt* appear to amount to 310 l. 400 l. appears to be borrowed upon Persons Notes only entrusted as Messengers, but by whom lent, does not appear by the Account.

When Mr. *Colquitt* settled the Account in 1744, Duplicates were drawn out, and one delivered to Mr. *Brereton*, the other delivered to Mr. *Gildart* ; and by that stated Account it appears, Mr. *Brereton* paid in Aid of that Debt, 280 l. Mr. *Gildart* only 25 l. so that I cannot pretend to say whether Mr. *Salisbury* paid more or less than he should do ; however, the Public cannot be said to have wronged him, if they were in Partnership they were both Principals, and when the 498 l. 9 s. is paid, there is 269 l. due and owing to the Public, from somebody as before-mentioned.

Now if Gentlemen were but equally solicitous to have Affairs which seem to be dark and intricate examined into, which relate to the public Concerns of the Corporation, as they are to cavil with me for doing what I know is my Duty, and theirs likewise, and which they cannot do otherwise

wise than allow to be so ; Resentment would soon cease, and one Scene of (*Please to supply a Word*) would be an Opening to another, which Integrity would blush to give countenance to.

As Mr. *Gildart* the Town Clerk was far from being deficient in bringing up the Rear of all that Ribaldry and foul Language I had before met with from others ; the Station he is placed in, the Part he has acted, with the Instances of Abuses to the Public, which he has shewn (by whom, I mean the Mayor, Bailiffs and Burgesses) are such Displays, either of great Ignorance, or what deserves a much worse Epithet, that not to take notice of him upon this extraordinary Occasion, may look like a tacit Assent to what he called Crimes, which he pelted me with in the Council Room ; for in that Place he very warmly declared I had struck at his *Honour*, which he set a high Value upon ; but that there was no great Occasion for, as it is in no danger of being coveted by any honest Man, if he is obliged to take his Actions (which I have not as yet made mention of) into the Bargain.

He with the heroic Bluster of a Prize-fighter, told me, that my Age on one Hand, and my Beggary on the other, protected me from that Treatment which I deserved from him. Now I dare say (without making any boast of his Skill and Judgment) he knows so much of the Law, that though a pecuniary Mulet may be out of the Question, and a drubbing Punishment he dare not inflict, yet the Law has provided other Remedies for reclaiming Transgressors ; and he requires no Order of Council as necessary to enable him to exhibit his Charge against me, if he has one to make, which he has the Effrontery to put his Name to.

If he says I have tarnished his Character, he's mistaken, I have only given it a *double Wash*, the first Coat is of his own laying on.

His first Busnels, in my Opinion, is to appear upon the defensive, and wipe off those Blots and Stains in it, which I did not fix there ; I have only made an open Discovery of them.

Battling and mawling me in the Council Assembly, is so far from being an Argument that I am wrong, that it is a negative Proof of the contrary ; and (except by foul Language) submitting tacitly to a public Charge, when the Credit, Reputation, and consequently the Interest of a Person is depending, is not the Thing ; it demands a public Vindication, otherwise it will be looked upon in a Light as not capable of bearing a public Defence.

Every thing which I have said that affects his Character, with regard to his Honour, or his Honesty, is of a public Nature ; his moral Character in his private Capacity, I have not so much as attempted to cast an Aspersion upon. Therefore, as his Conduct and Behaviour, in a List of Profit and Trust, in the Service of the Burgesses, is what I have only remarked upon,

it is his Business to clear himself to the Public, and thereby satisfy them what a trusty Servant they have.

Mr. Pole's Motion to have his Accounts, as Treasurer, to be examined, was very necessary to be made, and as much so to be complied with; but I am of Opinion, that as they are Accounts relating to an Estate belonging to the Mayor, Bailiffs and Burgeses, they ought to be rendered to the Public, and liable to their Inspection and Examination; they have as much Right to expect it, as Proprietors of any Concern have to expect those who have the Agency of it to be accountable to them. The Common Council are all Agents for the Public, and for them to account to one another *only*, and those who ought to be their Constituents (and principally concerned in the Estate entrusted to their Management) kept in the dark, cannot fail to create Jealousy and Suspicion that *upright Conduct* is some Way or other clouded; and it needs not to be at all wondered at, considering with how much Difficulty some Discoveries have been lately made of *Mistakes* (I hope this will be looked upon as a soft Term) amounting to a considerable Value; and whether those Mistakes happened inadvertently or designedly, they equally plead for the necessity of settling the Public's Accounts, after such a Manner as is most likely to give general Satisfaction.

By pursuing a Method of this kind, it no more impeaches the Honour or Veracity of any Gentleman in trust, than telling or counting Money after one another; or one Person examining an Account transmittid to him by his Correspondent; nor am I aware of any Inconvenience which can attend publishing the Accounts, more than it does publishing those of the Docks; for as a Gentleman, I think, justly observed, if they are just and right, no matter who sees them.

I remember when the late Mr. Trafford was Treasurer, several Years, Accounts were printed, and no bad Consequence, that I ever heard of attended the doing so, but the contrary; and there is an Order of Council for them being printed, which certainly stands good, and must do so, unless it is as publickly repealed as it was made.

I know an Objection was made against their being printed, which was, because the Corporation in Mr. Trafford's Time was much less in Debt than now; and to let the Public know how much it amounts to now, may affect the public Credit.

Considering who started this Objection, that it came from one that is more fully acquainted with the State of the Corporation than most of the Gentlemen of the Council are, it goes a great Way towards convincing me, that my Apprehension is right; and that we are not only greatly in Debt, but that the public Revenue has, for several Years past, fallen considerably *short*

of its usual Income, notwithstanding additional Improvements by Buildings, &c. and Reasons for it may be easily assigned, but I cannot assign a good one, why the Public are to be kept in the Dark, with Respect to the true State of their Finances.

This Sort of Management can only be productive of Jealousy and Un-easiness, and the most likely Method in my Opinion, to cause a Stagnation of public Credit, which ought to be carefully avoided. For my own Part, I am of Opinion it is prudent and necessary that proper Steps should be taken, whereby to occasion the Protests of the Burgesies being withdrawn, either by general Consent, or a legal Decision; for as Matters stand at present, it does not appear to me, that Persons indebted to the Corporation can pay their Money with Safety, nor can Actions lie against them for Refusal, more than against Mr. Fazakerley, or Mr. J. Whitfield, for opening Shops, while there is no By-Law to ground them upon. As these Affairs relate to the Public, I freely and openly offer my Sentiments about them, and hope they can give no just Occasion of Offence to any, either in or out of the Council, except those, whose Actions I have placed in a just Light; if they are such as I have represented them, the Fault is not mine: the Pictures are of their own drawing, I have only set them up to public View; and I can assure them that cavilling with, and railing against me, is not the way to silence me, while I know that I have Truth, Law and Justice in my Favour; and if these Characteristicks do not accompany our Conduct, however we may plume ourselves upon the Uprightness of our Deportment, It can only be founded from our own Trumpets. If I cannot think as others do, it may be a Weakness in me, and by being so, my Misfortune; but stronger Reasons than I can offer myself, will I hope always carry Conviction along with them, when they make their Appearance, and I hope likewise it will continue to be my Resolution, rather to be of the Minority; nay, stand alone, in Matters of Moment, than vote or act, in Contradiction to my own Judgment; to be looked upon, and to be believed to carry two Faces under a Hood, is a Character which I hope I shall always stand clear of deserving to be reproached with; it is a Character so very despicable that I may with Assurance say, none otherwise avow it but in Practice. It is like a base-begotten Orphan that no one desires to be thought the Father of.

I must insist upon being rationally convinced of being a Criminal, before I can think myself deserving of all or any of that personal abusive Treatment I have met with; my having caused a Translation of the Charter, from its original *Latin* into *English*, to be published, whereby to give *every Person* who can read, the Knowledge of those *Laws* by which (it is my Opinion) the Common-

Common-Council ought to govern Measures (and which I am sure it would embellish their Reputations to pursue) has not as yet been publickly imputed to me as a Crime, nor has my having discovered some Instances of secret Conduct, vastly prejudicial to the true Interest of the Corporation Revenue, met with any public Rebuke, except in the Council Assembly, where I think it least ought to have been discountenanced. These are the principal Subjects of the Papers which are called scandalous and base; and not published till I had unsuccessfully attempted to have these interesting Affairs to the Public examined into and rectified; what then had I otherwise to do, than lay them before the Community? Had I rested tamely silent, I might with some Appearance of Plausibility have been represented and looked upon as a common Disturber; and had the Discoveries which I have already made, affected the Characters and Reputations of the Gentlemen of the Council in general, a general Clamour against me might more plausibly have been expected; but it could not do it, because I have not dealt in ambiguities; the Person I have charged with any thing I have thought wrong, I have not scrupled to tack his Name to the Charge: I can readily make Allowance for some who have their particular Attachments, to be desirous to put a Stop to a further Scrutiny; but for the much greater Number, who are quite free from such Attachments to join in discountenancing such Enquiry, was, and is, at this time, Matter of Surprize to many solid and judicious Gentlemen, as well as myself; and cannot fail of being more so, considering how much of the Public's Money is now brought to light, which has been so long concealed from their Knowledge, and not intended to be for the Public's Use.

With respect to the constitutional Laws of this Corporation, I have said nothing but what, upon the maturest Deliberation and, according to my best Judgment and Knowledge, I thought was right; nor have I been contradicted in any one Point; nay, so far from it, that my Allegations have been brought to a fair and open Tryal, by mutual Consent of the Gentlemen of the Council, who thought me to be wrong, and the Burgeses, who entertained a different Opinion.

Gentlemen of both Sides of the Question, were deputed to hold Conferences, at which I was not permitted to attend; so that nothing but what I had made public, could be subjects of their debate; I say nothing, because all lay in a very narrow compass, *viz.* *Whether the Common Council are by the Charter invested with, or they exercise an illegal Power of making By-Laws, and choosing Members into Council, as vacancies happen?* That they have not these Charter Powers, is made to appear *unanswerably*, by the Report which the Deputies of the Burgeses have drawn up, to which they have subscribed their Names, and consented to be published: therefore if, for having done

these Things, I must merit from the Gentlemen of the Council to be called *scandalous, base, wicked, and many other Appellations of the like honourable Respect, in a public Assembly*; what Person can become a Member of that Body with Impunity, if his Honesty and Courage embolden him to become an Advocate for the pursuing Charter Laws, and by doing so, such Measures as his Conscience, and the solemn Engagement he lays himself under, at his Admission of being a Member, dictate to him to be right and just?

What End can it be rationally supposed the Burgeses could have by soliciting, and the Gentleman of the Council have in consenting and complying to enter into a Conference, but thereby to be satisfied where the Power of making By Laws, &c. centred, and each Side peaceably and readily act in Conformity to their Decision? therefore, if what appears to be undeniably just and right, is not made the Rule of Conduct, it cannot fail to fix an indelible blot upon the Characters of those who knowingly and willfully pursue unjustifiable Measures; Ignorance then quits her Seat, and gives place to that which is distinguishingly deserving of a worse Construction.

I cannot avoid saying, that, according to my own Notion of things, It was far from being prudent and politic in the Mayor and Gentlemen of the Council, consenting to a Conference, unless previous to doing so, they had come to a Determination to suffer what appeared to be Truth and Justice to take place. The principal Magistrate most certainly judged very right in attending the Conferences, that thereby he might be a Witness to, and have a true Knowledge of the Arguments advanced on both Sides of the Question, and more certainly know which way the Weight of Reason preponderated, whereby to govern his future Conduct with Justice to the Public, and Reputation to himself, by his upright Deportment. He had certainly Reason enough to entertain Suspicion there was something not right Standard in the State of the Case, drawn by Order of Council, and sent to have the Opinion of an eminent Counsellor upon it, by it's being so industriously endeavoured to be concealed from the Sight and Knowledge of the Gentlemen deputed by the Burgeses; for when it made its Appearance, although being but cursorily read, (which was as much favour as was allowed to them) they were clearly satisfied it was far from being what it ought to have been, *a fair and impartial State*, but calculated and contrived with as much Art as Honesty, and very little of either, to prevent Truth and Justice appearing in an open and fair Light; it would then have been no Reproach cast upon either his Judgment, or Reputation, to have trod in the Paths which Reason and Justice so fairly pointed out; however, it may afford this pleasurable Satisfaction to the Burgeses, that the Gentleman who now succeeds to the important Trust of Chief Magistrate, has no Stumbling-block in his Way to

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prevent doing Honour to himself in that Station, and likewise that Justice to the Public, which is their indubitable Right.

The Town-Clerk (whose Duty it is to give sound and good Advice to the Worshipful the Mayor, on all necessary Occasions) can now assure him, that if, by any artful Insinuations, it should be attempted to prevail upon him to decline the pacific Road, but give Preference to a Trial at Bar; there are no Materials to carry to the Court, and that the Gentlemen of the Law are not *Plea-makers*, they only hew them out of the rough, and furnish them with Ornaments and Decorations to appear in before a Court. If Gentlemen who may be supposed to be best acquainted with the constitutional Laws of the Corporation, have not any Reasons or Arguments to advance at a Conference to over-weigh those of *Plebeians*; nay, so far from it as to acknowledge Conviction in themselves, and having no other Retreat to make, than into the Embraces of arbitrary Power, to shelter Illegality; what can be more demonstrably evident than that it is calling Evil Good, and Good Evil, in Contradiction to the clearest Light of Reason? And, in my Opinion, Conscience must be seared as with hot Iron, not to give way to such Conviction; for there is no room left whereby to perswade any Magistrate, who is desirous to shew Rectitude of Conduct, to appear in a Court when there is neither Law nor Reason to carry him thither.

If this would not be a perfidious way of treating Magistracy, I cannot conceive what Sort of Treatment could be deemed such; therefore I hope that Mr. Town Clerk, in his Station, being considered in Law Cases (which require Honesty with but little Judgment to determine) as Eyes to Magistracy, and the Common Council, will never, for the future, by his own Advice or Connivance, suffer any Gentleman, in either Situation, to pursue Measures which may cause a Reflection being cast, either upon their Honour or Judgment, nor suffer any Class of Burgeses to do the like.

Had he observed this Rule, and thereby shewn himself as honest as knowing, there would have been no Prosecution set on foot against Mr. *J. Whitfield*, for opening a Shop in the Millenary Way, &c. he would have told those Persons, whose Expectations he flattered with the Promise of Success, that it is out of the power of the Common Council to support a Prosecution against any Invader of the Burgeses Rights, without the Sanction of a By-Law made by the Mayor, Bailiffs and Burgeses: the honest Recorder of *Exeter* was so far from being in any Doubt about it, that he let him know it was their own Case in that Corporation, and this Opinion ought not to have been secreted from the Knowledge of the Council. As Matters now stand, I very well know that Aliens have an uncontrollable Power to settle in Town and follow Business (if the Statute of the fifth of *Eliz.* does not

not lay hold of them, and which equally affects Freemen) which is a great Injury to many, in several Respects, who are actually free.

Aliens, in the Face of a contested Election, have no Fears to cloud their Minds ; there is no Record against them which carries Terror for refusing to offer Violence to their own Consciences ; nor do they lie under various other Hardships which are intailed upon those who are free.

I hope Mr. Town-Clerk, for the Time to come, will not pretend to countenance any Order of Council being made to prosecute any Stranger who has Courage to defend himself ; because Mr. Fazakerley's and Mr. J. Whitfield's Cases are well known to the Public ; for it must clearly appear it will, as it has been, be not only using the Gentlemen of the Council ill, and idly squandering away the Public's Money, but deceiving those who place a Confidence in the Rectitude of his Advice and Conduct at the same Time. I am vey well satisfied, that he likewise knows that whenever the Burgesses think proper to commence a Prosecution at Law, in Order to come at the Attainment of their Rights and Privileges ; that there is no Defence to be made which a Man of Sense, Honesty and Prudence, will care to carry before a Court. I neither fear nor expect any Contradiction to this, except in the Council Assembly ; there indced his Contradiction, without Reason to support it, may display itself, and for my own Part, I cannot conceive how Mr. Town Clerk, or any other Gentleman who accepts the Investiture of a Trust, by Virtue of a constitutional Charter-Law, can consider it as *only binding in Part* ; if it constitutes a Common-Council, it as certainly lays an Injunction upon it to make the Laws therein contained the Rule of Conduct ; nay, it goes further, it makes the Solemnity of an Oath one absolutely necessary Qualification for the faithful Discharge of that Trust ; therefore, if I am too weak not to discern lawful Liberties, it can certainly be no Crime in me, either not to take them on Trust, without Consideration, or wrong my Reason and Judgment, for the Sake of obliging others. To Mr. Town-Clerk, in particular, I must beg leave to say, I have acknowledged, and now repeat it, that a Quotation which he has inserted in a late eminent Performance of his, subscribed A BRICKLAYER, is very likely to be right, as expressing my Judgment of Things in 1735 ; at that Time I had no Knowledge of the Charter further than what I derived from Persons who, I have since discovered, were artfully and wickedly designing to evade Truth, for the Sake of supporting iniquitous Practices ; and for the sake of Truth, he may rest assured of this from me, that whenever he hits upon any thing whereby to convince me of an Error in Judgment, he shall have my public Acknowledgment of it ; I am so far from being above deriving knowledge of Things relating to the Concerns of this

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Corporation from Mr. Town Clerk, that I think I have several Times given him an Invitation to exert his Talents ; but I little expected to find him the Author of a Paper which may be very deservedly called Stupidity's Master-piece.

The great Charity which he speaks of in it, by the Distribution of Flour, was only laying out the Publick's Money to a very good Purpose ; and the Gentlemen of the Council (I dare say) will not thank him for boasting of it. What he calls scurrilous in me, consists only in detecting Plunderers of the Public's Property, and applying it to secret, not public Uses ; and when what I have already discovered is brought into the publick Stock, and justly applied, I can go forward, I am far from being at the Length of the *Tether*, I can go further than he is aware of ; and I make not the least Doubt but that he best approves of such Gentlemen as are least acquainted with the Public's Concerns to settle their Accounts. That the *Bricklayer* has six Children may carry Probability of being true ; for though he has but one in known keeping, yet the rest may be distributed to the Care of the Parish Officers : but if the Truth of his own Assertion is disputed, let numbering, in Support of his own Veracity, be his Care.

I will now endeavour to answer for my Conduct in another Sphere.— After the Affair was over, relating to what the Gentlemen Deputies for the Burgesses undertook and accomplished, relating to the Prisage Account, and the Payment of the Balance which I have already mentioned ; there was an Association entered into by a considerable Number of the Gentlemen Burgesses, by the Stile and Title of the UNION SOCIETY ; of which Body, they were pleased to admit me a Member ; and at our several Meetings, I was never shy of relating what I thought they had a Right to know, nor did I ever tell them any thing positively, but what I knew to be true : But if any thing which I related was only matter of Conjecture, from Circumstances which I was not clear in, I dressed it up in no other Garb. The several Remonstrances which were drawn up, and which were unanimously approved of, are sure Testimonies, that they were fully and clearly convinced and satisfied, the Public Concerns of this Corporation were in a wrong Way of being administred in several Respects. They were unanimously of Opinion, their Rights and Privileges, with those of their fellow Burgesses of the lower Clas, were greatly invaded : And the Satisfaction which this Association afforded to persons of that Rank, is so well known, that particular mention of it is not at all necessary.

This Society for a considerable Time supported a Reputation becoming Gentlemen who have the Interest of Liberty truly at Heart : However in process of time, views of one Kind or other so eclipsed these Principles, that several

several thought proper to withdraw themselves. Whether the seeming Prospect of particular Expectations was disappointed ; whether the Expectations of a Change of Men, more than a Change of Measures, was likely to be defeated ; or whether the Compromise, with what consequentially happened, about the Money paid before the Election, whether it was a Balance due, or only a Deposit, which caused Zeal to suffer an Eclipse, I am not certain, being in no Secret, farther than by speculative Observation ; yet by one Means or other, the high Conceptions which the Burgeses of the lower Class entertained of Gentlemen acting up to, and behaving in Character, were very much, and surprisg y defeated : Yet the Justness of the Cause is the same ; it has no way suffered in it's Merits ; altho' it must be allow'd it has done so by a most shameful Desertion.

Whatever the Burgeses Expectations might be, it was but two Days before the Election Day, that the Question was put to me, whether I wou'd stand as Candidate for the Office of Mayor : I gave for answer, that as I had hitherto contributed my Endeavours to have the Constitutional Laws made the Rule of Government, I hoped it could never be justly said of me, that I deserted them : And untill they are made so, the Welfare and Prosperity of the Town can never be truly promoted ; it is inconsistent with the Nature of Things : For what was thought to be a good Foundation before the Charter Laws were made known, is sapped and undermined by the Knowledge of them.

It is not the Liberties which Aliens take, that is the only Grievance ; the Injury to the common Interest spreads much farther, and not to be remedied, but by pursuing a Constitutional Method : And I think the truth of what I do not rest meerly upon supposition, *but assert*, is known to some few Gentlemen of the Council as well as myself : Prejudice may, and is, in many Cases, a Hind'rance to Enquiry, and by that means may for a time stifle, but cannot destroy Truth.

The Morning of the Election Day I wrote a Letter to the late Mayor, to let him know, that I had no Ambition to be dignified with that Office ; and that if the Burgeses could be assured, that the Constitutional Laws should be made the Rule of Government, I would resign all Pretensions to the Dignity with Pleasure ; and if I had then thought the Terms were such as a Gentlemen of Honour and Character could, and ought not conscientiously comply with, I am very certain I should not have made such Proposal.

There is not a Person who can, nor do I believe will say, I ask'd for a Vote. I told several who voluntarily promised me, that if they thought proper to make me the Object of their Choice, I would endeavour to make it my Care to discharge the Duty of the Trust with Fidelity. I was

was laid under no Engagements, by Promises of one Kind or other ; nor was there a Question, that I know of, asked me about what I would or would not do ; and I was so far from giving or desiring any Countenance being given to a mobbile Behaviour, that I recommended a peaceable Deportment with all the Arguments that I was master of.

I was told the Potters and Carpenters would appear for me ; therefore I got a few Friends to accompany me to most of the Potworks ; who can very justly witness for me, That I recommended to them a Peaceable and quiet Deportment ; and the same among the Carpenters. Therefore, what is called Criminal must rest upon those who desired my being Candidate for Mayor, with my Consenting to become such ; and if this justly falls under the Denomination of a Crime, then what is more privately determined by a *Selected Few* is to be considered as the *Free Voice* of the Burgesies, and a Behaviour in Contradiction to it, must denominate them Rioters, and subject them to the Penalties of the Laws due to riotous Offenders, or the Discipline of the broad Sword, which I saw some of them underwent. I apprehend that Mr. *Manefly*'s Scheme for having a proper Number of Arms lodged in the Exchange, to awe the Burgesies upon popular Occasions, would not answer his expected End ; they are not yet worked down to that Degree of Tameness and Submission, as to be controuled by such Sort of Discipline ; and further, it is my firm Opinion, that very few of the Gentlemen of the independent Company but would disdain the Thoughts of being the Council's, as much as they do those of being the Miller's Militia.

That the Barricade which was erected was displeasing to the Populace was very plain, because that which was set up the preceding day, was cut, or otherwise broke down the same Night ; and it is natural enough to suppose, that those who demolished it, had assigned some Reasons to themselves for doing so, for had it been done purely for the sake of doing Mischief, there would have been the same Reason for demolishing the Stage ; there was as ready Access to one as the other ; but that remained unmolested ; therefore I think it reasonable to conclude, that the same Reasons which governed for demolishing the Barricade over-night, most probably occasioned the like Treatment of that which was erected the Morning after. When I came into the Court of Election there was shouting, and the Populace kindly enough mentioned my Name, without giving any further Disturbance, though it created Fear, and I was invited (I very well remember by the Manner of the Invitation) to appease my *Mob*. My Reply was, that I laid no claim to them as my Property, it was their own good Will brought them, and I did not consider myself as a commanding Officer. These were my Words, as near as I can recollect, nor did I, upon that Invitation,

tion, appear at the Bar ; but when I saw them shaking the Barricade, I went to them and desired them to desist ; I mentioned a disaster which I had heard happened to a Person the Night before. Notwithstanding this, they continued working at it, and no more regarded Sir *Ellis Cunliffe* than they did me, which was a plain Demonstration they were under no Command of mine. As it happened that those who proposed to give their Votes in my Favour, came to the Bar slowly, I spoke to them several Times, and told them that bawling and shouting was of no service, they must come and give their Votes, if they intended me to serve them. I believe it will be allowed I bore this Treatment, accompanied with the Taunts and sneering Insults I met with from several Gentlemen upon the Hustings (whom I thought common Decency and a moderate Share of gentleman-like Behaviour might have screen'd me from) with a tolerable Degree of Composure : I heard from some Gentlemen the Mention of a Necessity for a Mob being raised in Opposition to those who were pulling down the Barricade and shouting, without giving any other Disturbance that I was in the least aware of ; but who had ordered them to be in Readiness, and by whose Means they were furnished and supplied with broad Swords, or Cutlasses, I do not pretend to say, I have been only informed, therefore shall mention nothing as Evidence from hear-say Declarations ; but if any Persons are desirous to satisfy their own Curiosity, by having a more particular Information, I cannot think of any Gentleman more capable of giving it than Capt. *George Campbell*. As I have before observed, Persons came to poll for me very slowly, and when the Mayor told me he had waited fifteen Minutes (and I believe he kept a very just Reckoning) to get ten Votes in my Favour, and could not make up that Number, and that he would proceed to carry on the Poll in Favour of the other Candidate ; my Reply was, that he had waited long enough, and that I had no Objection to his doing so ; he proceeded accordingly.

While the Voters Names, who had not as yet polled, that were upon the Hustings, were entering down, I went to the Bar, and there told the People that unless they would come and give me their Votes, I must and would give up ; nay, I had a Line handed to me from a Gentleman (who had taken all the Pains he could) to let me know their Backwardness, and that he could not prevail upon them to poll so soon ; upon this I left the Bar and desired to speak with Mr. *Goodwin*, who (being then at some Distance) came to me ; I told him I neither desired to give him nor the Gentlemen, any farther Trouble ; I likewise said, that whether he thought I was unkindly treated I could not say ; but I was sure I was so ; and that I was far from thrusting myself upon the Burgessess for being their Candidate ; so that

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laying the Fault of giving up the Election at my door, is wrong: however, if upon any future Occasion of Contest, the Burgeses are desirous to exert themselves, I hope what has past will work a Cure against slow Friendship, let who will be their Candidate, and on whatever Occasion; for what happened at the general Election in 1754, ought not to be pleaded as Precedent whereby to blame me for so early a Retreat, the Cases are far from being parallell.

After this I was called upon by the People at the Bar; I went to them; they enquired of me if I had given it up; I told them I had, and asked what I could do otherwise, when nobody came to poll for me? Upon this it was that they broke into Outrage, *not sooner*, and became quite exasperated against me; so that if they were to be looked upon as *my Mob*, they soon disbanded themselves from my Service, and gave way to their own Passions, charged me with having been bribed, and said almost every thing which Passion and Madness could dictate at that time; and though I very narrowly escaped with Safety, and got up after the other Gentlemen (for I was the last who left the Hustings) into the Mayor's Office. Did I remain there a Minute? No; for at their Request, I went down and tried my utmost Endeavours (but in vain) to appease them; for as their Passions were let loose for my giving up Pretensions to stand longer a Candidate, I must be considered as throwing myself into the Power of Persons then greatly enraged, and before time for more cool reasoning could take place; I was hawled about from one Part of the Area of the Exchange to another, for above an Hour, declaring that I should not give up the Poll, and when they could not force open the Iron Gate in the Area leading up to the Mayor's Office, they forced me up the Stairs leading to the Assembly-Room, and several Times attempted to break the Door open, but I prevailed upon them not to do it, as I did likewise upon a young Gentleman not to unlock it for them. At this Time another Clas of *Sons of Fury* came up armed with Cutlasses; under whose Banner they fought, I do not say, but I am sure not mine; Blows were given with great Freedom, but no one offered the least Insult or abuse to me, what I received of that Kind came from Gentlemen only; Peace and Quiet was what I constantly recommended, and as I did not prevail, I hope they were not to be considered as under my Direction, and consequently not *my Mob*. What fell under my Notice and Inspection I have given a faithful and just Account of, according to my best Observation, for I never considered myself in any material Danger; but upon the Hustings, on their first laying hold of me, and when those glittering Tokens of Violence first made their Appearance, for tho' those who seized me with great Violence, kept fast hold of me, without suffering me to leave them; I must do

the m that Justice to say, they treated me (though roughly) yet with Civility. To Gentlemen of Candour I am in Hopes this Narrative will give no just Occasion for being offended with me, as I think every Person upon whom Censure rests, has a Right to plead in his own Vindication ; and if I have, (in what I now publish) carried Censure to too high a Pitch in the Opinions of any Gentlemen, I desire this may be considered as an Invitation to any Person i have taken particular Notice of ; as publickly, (but not in the Council-Room, I beg leave to bar that College of Education, either for polite Literature, or Reformation of Manners) to point out my Mistakes, and what I cannot justify, I will as publickly recant, by acknowledging my Errors, attended with such suitable Submissions as the Nature of Cases may require, and in my lower to make : But if it so happens, that no false Assertions are laid to my Charge, then I hope I shall appear to be *rectus in curia*, and stand justified by the Public in saying ; The Rights of the Burgesses in this Corporation, are not only a common, but a very important Concern ; and if they any Way suffer, by maintaining an unconstitutional Power, more the lity ; I am sure it is the bounden Duty of every Individual Free Burgess, according to the Tenor of his Oath at admission into Burgeship, to promote the Corporation's Welfare and Prosperity ; and I think more so of Gentlemen more immediately entrusted as Guardians, and wherein a love of Power so far predominates as to get the better of much more material and momentous Considerations, as it never can be justified, so I hope (let my Station in life be what it will, let malicious Prejudice and Ill-nature do its worst to me) it will never be countenanced by

Your very humble Servant, and yet

a Member of the Common-Council,

Joseph Clegg.

P. S.

P. S. Some Friends having requested of me to permit the following Letter to be printed and subjoined to this Publication, I very readily consented to it, as well deserving the Regard of every Burges, and can justly offend no one that truly desires the Prosperity of the Corporation of Liverpool. It contains Sentiments greatly meriting notice, and exhibits Patterns worthy of imitation.

SIR,

“ **I**T is quite in vain to attempt an Excuse for ill Success in the time of a litigated Public Affair ; there are so many things give great Pleasure to the Advocates for the successful Side, especially the necessary Esteem of superior Understanding and Council, as quite obstruct all impartial Attention to whatever can be advanced in Favour of the Defeated : However, I think I may venture to say thus much to a Gentleman of your Understanding, and disinterested Virtue, in defence of our unsuccessful attempt to make Mr. Cl-gg M—y—r, that it proceeded from an honest Intention; not from a Spirit of Opposition, or any Manner of personal Resentment. It is too well known, Public Revenues have been in former times shamefully made a Prey to Avarice and private Interest.

“ And as it must be owned, that what has been may be ; as there is nothing in the present Form of public Action, if any thing possible, to be an effectual Security against such-like Perversion. It was a laudable Attempt to have reduced our Affairs to the Train of our legal Legal Constitution ; which would have been a certain and indisputable Defence against all future Depredations of that Kind, making the Actions of a few principal Agents always liable to the Examination and Censure of the whole Body, and so that every consequent Action might be capable of a legal Vindication.

“ I own it is very obvious, some things have been, and always may be alledged against this Way ; but I humbly conceive, it will be hard clearly and deliberately to point out any other Expedient against the mischievous Consequences which may naturally follow from the Agency and Influence of such interested Demagogues, with their Clients and Dependents as have, within less than half a Century, had the Corporation Affairs very much under their Hands : And I confess, that in this View, I thought it might perhaps have been reckoned prudent to have suffered our Affairs, under the Appearance of Force and Necessity, to have easily滑入 the constitutional Train of Conduct ; which I cannot help thinking will some time happen, and never can easier than it might now.

“ This

“ This was the Way wherein the public Affairs of *Rome* were originally secured against all Corruption of every Kind, and conducted through almost infinite Difficulties and Opposition, to the highest Pitch of Glory and Grandeur ; and this was in consequence of the *Provocatio ad Populum*, by the immortal *POPLICOLA* (mentioned before) whereby it was put into the Power of every Citizen of *Rome* to appeal to the Judgment of the whole Body of People for Redress of every Grievance, and Decision of every Difficulty.

“ *Carthage* was, next to *Rome*, the greatest, most opulent, powerful, and best governed City and Republic in the World.

“ The Direction of their Public Affairs was very like that of *Rome* ; they had a very numerous Senate of the better sort of Citizens : Every public Affair came first before them, and if there happened no Difference in their Debates, the Affair there was finally determined, and went no farther : But if otherways, and any Difference arose (which in so numerous a Body could not avoid frequently happening) it was determined in a public Assembly of all Citizens as in the *Roman Provocatio* : and that this was the Case is plain from this Instance which *Polibius* gives ; That after the Loss of a Battle in *Africa*, at the End of the second Punick War, when the Conditions of Peace were proposed in the Senate, and one Senator expressed a Dissatisfaction, even the great *Hanibal* was put to the Necessity of using all his Interest and Address to reduce that Dissentient, and establish a compleat Union in the Deliberations of that Assembly, that an Affair of so great Importance might not be remitted to the Uncertain Issue of a popular Vote.

“ Now I beg to be indulged the leave to request of those who allege the Impossibility of having Affairs well adjusted by a Public Assembly of the People, (or Common-Hall) and I think it’s the only thing can be alledged why we should allow ourselves, or make it necessary to esteem our Fellow Citizens, even of the lowest Clas, so much below the meanest Populace or Plebeian of *Rome* and *Carthage* (originally sprung from Banditti, or Beggars) as not to be capable of a regular Consideration and Adjustment of their own most interesting Affairs, which (as being a subordinate Society) are necessarily of small Extent and Difficulty, as well as those People were of settling in a sovereign Way, the greatest Concerns of Polity and Government, ecclesiastical and secular, in War and Peace, for the two greatest Cities and Bodies Politic in the whole World. Let but the great Men leave their Clients and Dependants the same Freedom of Sentiment, Debate and Action as the Gentlemen of the two great sovereign Cities

“ Cities did to theirs, and I will be answerable for the Regularity and Success of their public Debate and Action.

“ Those who argue against this Establishment, seem to figure to themselves a *Common-Hall*, as consisting *only* of the lowest Class of Citizens, and indeed no other Representation can give any Colour to their Pretensions; but if they would consider that those Assemblies are by the Charter fixed to be of the Burghesses in general, and that consequently the Men of superior Understanding, Erudition, Fortune and Figure, would have all the Influence properly arising from their Character, to regulate the Debates for accomplishing the public Good; they could not avoid giving their Concurrence to this Scheme.

“ I beg to be further indulged the Liberty to declare, the Gentleman need not be under any Apprehension of a public Censure of flattering the People into Sedition, who, with an Air of Assurance and Infallibility declared moreover that such an Assembly would be much more likely to run into the utmost Confusion, and cut *one another's Throats* (pardon the Expression, I assure you it is original and genuine) than agree in a calm and rational Consideration and Adjustment of their public Affairs.

O Tempora ! O Mores !

F I N I S.





